

March 28, 2016

VIA CERTIFIED MAIL AND REGULAR MAIL

Re: False and Misleading Political Flyers Regarding Representative England

Dear Mr. Newton:

This letter issues on behalf of Representative Terry L. England, Member of the Georgia House of Representatives for the 116th District, and his principal campaign committee, The Committee to Elect Terry England.

It has recently come to our attention that you have been involved in the development, production and distribution of a series of political flyers that contain a variety of false and misleading statements regarding Representative England. Included in the content of these flyers are numerous false and deceptive comments regarding Representative England's political stances regarding the resettlement of Syrian refugees, welfare and entitlement programs, the state gasoline tax, and other Georgia budgetary matters. These false and misleading statements are readily refuted by simple reference to the Georgia General Assembly legislative tracking system (www.legis.ga.gov/Legislation).

In addition, your publication contains two actionable statements for which legal relief is appropriate if continued.

First, the flyers falsely represent and suggest that Representative England did not fully perform on a "personal farm loan financed by the State of Georgia." Such statements are patently false and misleading. If published with knowing or reckless falsity, they are actionable as defamation and libel for which you will be personally liable for any damages caused by them.

The actual facts are that the 2009 loan secured from Bank of America through the Georgia Development Authority ("GDA") program was entered into jointly by Representative England, his wife (Mrs. Cindy England), his father (Mr. Kenneth England), and his mother (Mrs. Ester England), for a total amount of \$575,000 payable over a period of 20 years. The loan proceeds were utilized, in accordance with GDA requirements, to refinance debts and assist with the financial requirements of operating The Homeport Farm Mart ("HFM") – Representative England's former farm and garden supply center in Winder, Georgia.

From 2009 through 2012, Representative England and his fellow co-borrowers made timely and full payments on the described GDA loan, and utilized the proceeds of the note to support financially the continued operation of the HFM. When the business closed in 2012, the loan remained operative, and

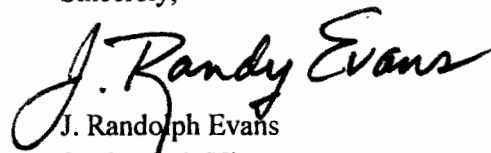
Representative England saw to it that payments continued to be made on time. These up-to-date payments continued through October 2015, when the promissory note was paid in full – over 14 years prior to its legal due date. You now have actual knowledge of truth and of the falsity of the statements in your flyers. Any further publication, now with actual knowledge of the truth, constitutes defamation and libel. Please govern your actions accordingly.

Second, certain iterations of the flyers you circulated purport to call for action with references to Representative England's home address and an overt statement inciting recipients to visit his house and "tell him what you think of him." Such statements cross the line of what is permissible under Georgia law and constitute a wrongful incitement of individuals to commit trespass on Representative England's property. Should that happen, you will be personally liable for any and all damage that may result.

Therefore, pursuant to applicable Georgia law, DEMAND is hereby made that you immediately CEASE AND DESIST producing and distributing political flyers and all other public communications containing actionable false and misleading statements as well as statements, intended or not, that incite illegal conduct by referencing Representative England's home address and/or statements inducing recipients to visit his home. To the extent such references and/or statements are incorporated into any existing online postings or websites, they should also be immediately removed.

All of these requests, we believe, align with specific appeals you have already received from the Georgia State Patrol to cease and desist in posting Representative England's home address and encouraging trespass on his property. In turn, please bear in mind both our demands and those of the State Patrol when preparing future political flyers or public communications concerning Representative England. Should you not correct the highlighted errors in the described flyers or other public communications, we will be left with no other recourse than to take all necessary legal action.

Sincerely,



J. Randolph Evans
Benjamin J. Vinson

Counsel to Representative Terry L. England

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